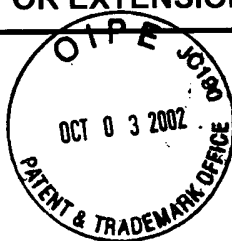


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
INHA00121CO/US



In re Application of FRANKS ET AL.

Application Number 09/939,689

Filed 08/28/01

For STORAGE OF MATERIALS

Group Art Unit 1653

Examiner Russell, J.

RECEIVED

OCT 0 8 2002

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1))
- ☐ Two months (37 CFR 1.17(a)(2)) \$ 400.00
- ☐ Three months (37 CFR 1.17(a)(3)) \$ 920.00
- ☐ Four months (37 CFR 1.17(a)(4)) \$1,440.00
- ☐ Five months (37 CFR 1.17(a)(5)) \$1,960.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_.

☒ A check in the amount of \$110.00 is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2106.  
I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

12/3/02  
Date

[Signature]  
Signature

10/07/2002 NH0HAAA1 00000033 09939689

03 FC:115

110.00 DP

Richard Neifeld Reg. No. 35,299

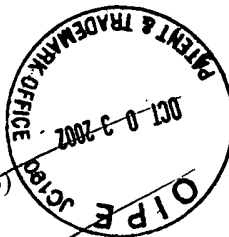
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
Y:\Clients\Inhale\INHA00121COUS\EOT\_021003.wpd

Docket No. INHA0012ICO/US  
IN RE APPLICATION OF: FRANKS ET AL.  
SERIAL NO: 09/939,689 (Patent No. 5,098,893)  
FILED: 08/28/01  
FOR: STORAGE OF MATERIALS



16538  
**RECEIVED**

OCT 08 2002

TECH CENTER 1600/2900

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☒ Additional documents filed herewith:
  - Petition for Extension of Time Under 37 CFR 1.136(a) (In Duplicate)
  - Assent of the Assignee Under 37 Cfr 1.172 (2 Pages)
  - 37 CFR 1.175 Reissue Declaration by the Assignee (5 Pages)
  - Copy of Second Declaration Under 37 CFR 1.132 of Felix Franks (11 Pages)
  - JPTOS article entitled "Looking Beyond Blazemarks on Trees - It's Time to Revisit the Description Requirement in the Wake of Warner-Jenkinson", by Harris A. Pitlick.
  - Copy of Patent No. 4,705,875

The Fee has been calculated as shown below:

he Fee has been calculated as shown below.

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	36	MINUS	28	8	× \$18 =	\$144.00	
INDEPENDENT	20	MINUS	10	10	× \$84 =	\$840.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$984.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity					\$0.00
		<input type="checkbox"/> Recordation of Assignment				+ \$40 =	\$0.00
		TOTAL					\$984.00

- ☒ A check in the amount of **\$984.00** is attached.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2106.



31518

PATENT TRADEMARK OFFICE

Neifeld IP Law, PC  
Crystal Plaza I  
2001 Jefferson Davis Highway  
Suite 1001  
Arlington, VA 22202

10/3/02  
Date

Respectfully Submitted,

Richard A. Neifeld, Ph.D.  
Registration No. 35,299  
Attorney of Record

Tel: 703-415-0012  
Fax: 703-415-0013  
Email: rneifeld@Neifeld.com